

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHRIS BROKENBOUGH

v.

DONALD T. VAUGHN

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CIVIL ACTION

NO. 02-CV-3838

**ORDER**

AND NOW, this \_\_\_\_ day of October, 2003, upon consideration of the Report and Recommendation of Magistrate Judge Arnold C. Rapaport to which no objections have been filed notwithstanding the fact that the Petition For Enlargement Of Time To Respond To The Magistrate's Report And Recommendation filed by Chris Brokenbough was granted by this Court, it is ORDERED as follows:

1. The Report and Recommendation is Approved and Adopted.
2. The Petition For Writ of Habeas Corpus is DENIED.
3. There is no probable cause to issue a certificate of appealability.

IT IS SO ORDERED.

BY THE COURT:

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R. Barclay Surrick, Judge